

**FREEDOM OF INFORMATION
AND
PRIVACY ACTS**

**SUBJECT: CUSTODIAL DETENTION
SECURITY INDEX**

FILE NUMBER: 100-358086

SECTION : 64



FEDERAL BUREAU OF INVESTIGATION

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UNITED STATES GOVERNMENT

Memorandum

Mr. E. S. MILLER

TO :

T. J. SMITH

FROM :

TJS

SUBJECT:

HANDWRITING SPECIMENS

ADMINISTRATIVE INDEX (ADEX) SUBJECTS

LOHER MILLER

- 1 - Mr. Conrad (Tunstall)
- 1 - Mr. E. S. Miller
- 1 - Mr. Branigan

DATE: 2/28/72

- 1 - Mr. Shackelford
- 1 - Mr. Gray
- 1 - Mr. G. C. Moore
- 1 - Mr. Wannall

1 - Mr. T. J. Smith

1 - Mr. J. M. Sizoo

Tolson _____
Felt _____
Rosen _____
Mohr _____
Bishop _____
Miller, E.S. _____
Callahan _____
Casper _____
Conrad _____
Dalbey _____
Cleveland _____
Ponder _____
Bates _____
Waikart _____
Walters _____
Soyars _____
Tele. Room _____
Holmes _____
Gandy _____

to memorandum 9/23/71 entitled "Handwriting Specimens Security Index Subjects" recommended that handwriting specimens of certain security subjects be purged from the National Security File (NSF) of the Laboratory. The Director approved an addendum by Mr. [redacted] that we hold this until the Department ruled on how we were to handle the Security Index. The Department advised that our responsibility to investigate subversive activities remains unaffected by the repeal of the Emergency Detention Act and does not limit our authority to maintain an index therewith. Therefore, we initiated the ADEX to be used in connection with our security investigations of individuals.

4156

UNITED STATES GOVERNMENT

Memorandum

Mr. E. S. MILLER

TO :

T. J. SMITH

FROM :

TJS/ELR

SUBJECT:

ADMINISTRATIVE INDEX
STREAMLINING MEASURES
#190-43

Security Index - General

- 1 - Mr. Felt
- 1 - Mr. Dalbey
- 1 - Mr. Callahan
- 1 - Mr. Soyars (Mr. Row)
- DATE: 8/29/72
- 1 - Mr. Miller
- 1 - Mr. Branigan
- 1 - Mr. R. D. Cotter
- 1 - Mr. A. W. Gray
- 1 - Mr. G. C. Moore
- 1 - Mr. R. L. Shackelford
- 1 - Mr. J. M. Sizoo
- 1 - Mr. T. J. Smith

Felt _____
Baker _____
Bates _____
Bishop _____
Callahan _____
Cleveland _____
Conrad _____
Dalbey _____
Jenkins _____
Marshall _____
Miller, E.S. _____
Ponder _____
Soyars _____
Walters _____
Tele. Room _____
Mr. Kinley _____
Mr. Armstrong _____
Ms. Herwig _____
Mrs. Neenan _____

BACKGROUND

By way of background, the ADEX is an outgrowth of the old Security Index program which in itself was an integral part of the Emergency Detention Program. The Emergency Detention Program in latter years derived its authority from Title II of the Internal Security Act of 1950 (better known as the Emergency Detention Act). In the Fall of 1971 the Emergency Detention Act was repealed by Congress and we, of course, immediately discontinued the Emergency Detention Program. Since the Security Index was in actuality an extension of an integral part of the Emergency Detention Program, it was believed that the Security Index as it was structured should also be discontinued.

From an administrative standpoint, however, it was believed that the Bureau should be able to immediately identify individuals who constitute a threat to the national security, particularly during time of national emergency. The Security Index enabled us to retrieve information pinpointing such individuals. Representatives of the Department, during a meeting following repeal of the Emergency Detention Act, pointed out that even though Congress has now prohibited a program for emergency apprehension and detention, circumstances might someday be such

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Inspector's addendum page 8

Memorandum to Mr. E. S. Miller
Re: Administrative Index
Streamlining Measures

that the Government might have to defend itself from attack and that it would be necessary at such time to quickly identify persons who were a threat to the national security so that investigation could be intensified and if necessary the President could go to a joint session of Congress and ask for emergency legislation permitting apprehension and detention of persons who threaten existence of the Government.

The Department advised after consultation that the FBI's authority to investigate individuals engaged in subversive activity had not been eroded by repeal of the Emergency Detention Act, and that further repeal of this Act did not in any way prohibit the FBI from maintaining an administrative index of individuals who were under investigation for subversive activity. Accordingly, we devised the Administrative Index for the purpose of being able to quickly identify persons representing a threat to the national security. Since we already had the identities of such persons contained in the Security Index, we used the Security Index as a basis for setting up the Administrative Index. The major difference, of course, was that whereas persons listed in Security Index had been listed with a view of possible apprehension and detention, the persons being listed in ADEX would not be subject to detention, but would be listed for ready identification purposes.

Since persons listed in ADEX would not be subject to apprehension and detention, the requirement for Departmental concurrence in listing no longer existed. Also, since the detention factor was no longer a major issue, persons could be listed irrespective of degree of threat they may represent to the national security.